



UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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DEC - 9 2002

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NEW YORK NY 10020-1105

#11

In re Application of
Michael R. Hale et al
Serial No.: 09/591,464
Filed: June 9, 2000
Attorney Docket No.: VPI/99-105

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: WITHDRAWAL OF ABANDONMENT
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This is in response to applicants' petition under 37 CFR 1.181, filed October 25, 2002, requesting revival of the above-identified application based on non-receipt of an Office action.

A review of the file history shows the examiner mailed a Office action to applicants on April 4, 2002, setting a three month shortened statutory period for submission of a sequence disk. Upon failure to receive a reply the application was held abandoned as of October 5, 2002, however a Notice of Abandonment has not yet been mailed to applicants. Applicants state that the Office action was never received and provide statements and docket record evidence of non-receipt in support thereof. In view thereof, the Notice of Abandonment is withdrawn and the application is restored to a pending status with the mailing of this decision.

Applicants' petition is **GRANTED**.

The application will be forwarded to the examiner for remailing of the last Office action.

Should there be any questions regarding this decision, please contact William R. Dixon, Jr., by mail addressed to Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.


Bruce M. Kisiuk
Director, Technology Center 1600